



Dkt. #873-Z-US

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Ivan C. KING, and Li Mou ZHENG

U.S. Serial No.: 10/738,423, which is a divisional of U.S. Serial No. 09/645,415, filed August 24, 2000, which claims priority of U.S. Serial No. 60/157,500, Filed October 4, 1999, U.S. Serial No. 60/157,581, Filed October 4, 1999, and U.S. Serial No. 60/157,637, Filed October 4, 1999

Examiner/Art Unit: Qian Janice LI/ 1633

Filing Date : December 16, 2003

For : COMPOSITIONS AND METHODS FOR TUMOR-TARGETED DELIVERY OF EFFECTOR MOLECULES

Law Offices of Albert Wai-Kit Chan, LLC
World Plaza, Suite 604
141-07 20th Avenue
Whitestone, NY 11357

October 4, 2006 | 10/11/2006 HDEMESS1 00000082 501891 10738423

| 01 FC:1464 130.00 DP

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

| 10/11/2006 HDEMESS1 00000082 501891 10738423

| 02 FC:1463 70.00 DA 130.00 DP

Madam:

AMENDMENT OF INVENTORSHIP UNDER 37 C.F.R. § 1.48(a)

This Amendment is submitted pursuant to 37 C.F.R. § 1.48(a) to correct the inventorship of the above-identified application.

37 C.F.R. § 1.48(a) states that an amendment of the inventorship requires:

- (1) A request to correct the inventorship that sets forth the desired inventorship change;

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- (2) A statement from each person being added as an inventor and from each person being deleted as an inventor that the error in inventorship occurred without deceptive intention on his or her part;
- (3) An oath or declaration by the actual inventor or inventors as required by § 1.63 or as permitted by §§ 1.42, 1.43 or § 1.47;
- (4) The processing fee set forth in § 1.17(i); and
- (5) If an assignment has been executed by any of the original named inventors, the written consent of the assignee (see § 3.73(b) of this chapter).

(1) Request to correct inventorship

Applicants hereby respectfully request the Commissioner to correct the inventorship of the above-identified application by adding ZHENG, Li-Mou as a joint inventor of the claimed invention disclosed in the above-identified application.

(2) Statement of without deceptive intention on the part of the inventor(s) being added

A statement as required under 37 C.F.R. § 1.48(a)(2) from ZHENG, Li-Mou and KING, Ivan C. stating that the error in the inventorship occurred without deceptive intention on their part is attached herein as **Exhibit 1**.

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(3) Declaration by the inventors and Petition under 37 C.F.R. § 1.47(a) to accept the supplemental declaration when an inventor refuses to sign

(i) **Declaration**

Applicants hereby attach as **Exhibit 2** a copy of the declaration duly executed by ZHENG Li-Mou and KING, Ivan C. on behalf of themselves.

(b) **Petition Fee under 37 C.F.R. § 1.17(h)**

Applicants hereby enclose a check in the amount of ONE HUNDRED AND THIRTY DOLLARS (\$130.00) for the filing of the petition under 37 C.F.R. § 1.47.

Written Consent of the Assignee

Please find attached as **Exhibit 3** a copy of the Consent of Assignee.

Conclusion

Applicants respectfully maintain that the requirements set forth in 37 C.F.R. § 1.48(a) for amending the inventorship of this application and in 37 C.F.R. § 1.47(a) for filing a petition to submit a supplemental declaration with non-signing inventors have been satisfied.

Accordingly, Applicants respectfully request the Commissioner to grant Applicants' petition under 37 C.F.R. § 1.47(a) and to amend the inventorship of this application. Once the petition is

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granted and the inventorship has been amended, KING, Ivan C., and ZHENG, Li-Mou will be the inventors of this application.

If a telephone interview would be of assistance in advancing prosecution of the subject application, Applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

No fee other than the ONE HUNDRED AND THIRTY DOLLARS (\$130.00) for the filing of a petition under 37 C.F.R. § 1.47, the ONE HUNDRED AND THIRTY DOLLARS (\$130.00) for the payment of the processing fee to correct the inventorship of this application is deemed necessary in connection with the filing of this Amendment and Petition. However, if any additional fee is required, authorization is given to charge the amount of any such fee to Deposit Account No. 50-1891.

Respectfully submitted,

Albert Wai-Kit Chan

Albert Wai-Kit Chan

Registration No. 36,479

Attorney for Applicants

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Albert Wai-Kit Chan, LLC

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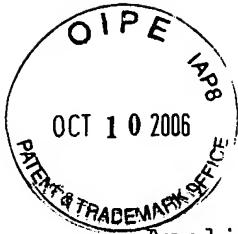
e-mail: chank@kitchanlaw.com

I hereby certify that this paper is being deposited this date with the U.S. Postal Service with sufficient postage for first class mail in an envelope addressed to:

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Albert Wai-Kit Chan
Albert Wai-Kit Chan
Reg. No. 36,479

10/4/06
Date



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Madam:

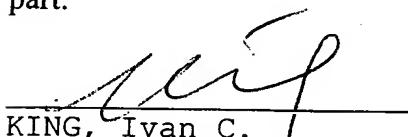
Correction of Inventorship;
Statement Under 37 C.F.R. § 1.48(a)(2)

KING, Ivan C. hereby states:

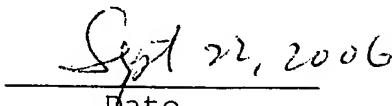
That He is a joint inventor of the subject matter which is claimed in the above-identified application and for which a patent is sought.

That He was named as the sole inventor in the originally filed declaration through error.

That the error in the inventorship of this Application occurred without deceptive intention on his part.



KING, Ivan C.



Date

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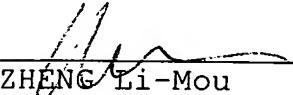
Correction of Inventorship;
Statement Under 37 C.F.R. § 1.48(a) (2)

ZHENG Li-Mou hereby states:

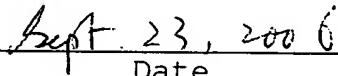
That He is a joint inventor of the subject matter which is claimed in the above-identified application and for which a patent is sought.

That He was not named as a joint inventor in the originally filed declaration through error.

That the error in the inventorship of this Application occurred without deceptive intention on his part.



ZHENG Li-Mou



Date

**SUPPLEMENTAL DECLARATION & POWER OF ATTORNEY**

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first, and sole inventor (if only one name is listed below) or an original, first, and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

COMPOSITIONS AND METHODS FOR TUMOR-TARGETED DELIVERY OF EFFECTOR MOLECULES

the specification of which
(check one)

is attached hereto or
 was filed on December 16, 2003
as Application Serial No. 10/738,423
and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information of which I am aware which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application of which priority is claimed:

Prior Foreign Application(s)			Priority Claimed
<u>Number</u>	<u>Country</u>	<u>Filing Date</u>	<u>Yes</u> <u>No</u>

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States Application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>Application Serial No.</u>	<u>Filing Date</u>	<u>Status</u>
09/645,415	August 24, 2000	Patented
60/157,500	October 4, 1999	Expired
60/157,581	October 4, 1999	Expired
60/157,637	October 4, 1999	Expired

And I hereby appoint:

Albert Wai-Kit Chan (Attorney, Reg. No. 36,479), Herbert H. Waddell (Attorney, Reg. No. 34,943), Theodore Gottlieb (Attorney, Reg. No. 42,597), Hon-Man Lee (Agent, Reg. No. 47,742), and Mark Elkins (Agent, Reg. No. 42,510)

Attorneys and/or Agents, with full power of substitution and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, to transact all business in the Patent and Trademark Office connected therewith and to file any International Applications which are based thereon under the provisions of the Patent Cooperation Treaty.

Please address all communications, and direct all telephone calls, regarding this application to

Law Offices of Albert Wai-Kit Chan, LLC
World Plaza, Suite 604
141-07 20th Avenue
Whitestone, NY 11357
Tel: (718) 799-1000
Fax: (718) 357-8615

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first joint inventor: KING, Ivan

Inventor's signature: IVK

Citizenship: US Date of Signature: Sept 22, 2006

Residence: 65 Blue Hills Road, North Haven, CT 06473

Post Office Address: same as the residence address

Full name of second joint inventor: ZHENG, Li-Mou

Inventor's signature: L.M. Date of Signature: Sept 23, 2006

Citizenship: US Date of Signature: Sept 23, 2006

Residence: 406 Hilltop Road, Orange, CT 06477

Post Office Address: same as the residence address